



7-10-02

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Atty. Dkt. No. 073406-0402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jerry Pelletier, et al.

Title: DNA SEQUENCES FROM
BACTERIOPHAGE 77 THAT
ENCODE ANTI-MICROBIAL
POLYPEPTIDES

Appl. No.: 09/407,804

Filing Date: 9/28/1999

Examiner: R. Mitra

Art Unit: 1653

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.	
<u>Deborah L. Wykes</u>	(Printed Name)
<u>Deborah L. Wykes</u>	(Signature)
<u>7/8/02</u>	(Date of Deposit)

AMENDMENT TRANSMITTALRECEIVED
JUL 15 2002
OFFICE OF PETITIONSBox DAC
Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted and is still proper.

☐ The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: —	=	0	x \$18.00	= \$0.00
Independents: —	=	0	x \$80.00	= \$0.00
First presentation of any Multiple Dependent Claims:		+	\$270.00	= \$0.00
CLAIMS FEE TOTAL:				= \$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$55.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$195.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$445.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$695.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$945.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$0.00
TOTAL FEE:			\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$130.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 8 July 2002

FOLEY & LARDNER
402 W. Broadway, 23rd Floor
San Diego, California 92101
Telephone: 619/234-6655
Facsimile: 619/234-3510

By Wesley B. Ames

Wesley B. Ames
Attorney for Applicant
Registration No. 40,893



Atty. Dkt. No 073406-0402

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below. Deborah L. Wykes (Printed Name)  (Signature) July 8, 2002

AMENDMENT

Box NON-FEE AMENDMENT
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed April 8, 2002, Applicant requests that the Examiner enter the following amendments and consider the following remarks.

Amendments

In the specification:

Replace the paragraphs indicated below with the following amended replacement paragraphs. Marked up copies of the amended replacement paragraphs are provided in Appendix

3.

Replacement paragraph at p.21, lines 16-26.

N.E.